

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ALEJANDRO BENAVIDEZ,

v.

BURLINGTON NORTHERN SANTA  
FE CORP., ET AL.,

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§

CIVIL ACTION NO: 3:07-CV-00105  
(JURY TRIAL DEMANDED)

**JUDGMENT**

On this day, the parties appeared by and through their attorneys of record and requested that the Court enter a take nothing judgment. The Court, having considered all matters of record, is of the opinion that a take nothing judgment should be entered. It is therefore

ORDERED that Alejandro Benavidez shall take nothing from Defendants Railserve, Inc., Deer Park Rail Terminal, LLC and USD, LLC and that Defendants Railserve, Inc., Deer Park Rail Terminal, LLC and USD, LLC are hereby fully and finally acquitted, released and discharged from any and all claims and causes of action that have been pled or could have been pled in this case. It is further

ORDERED that each party shall bear its own costs.

This Judgment is final.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
JUDGE PRESIDING

**AGREED:**

**COLLINS & O'NEAL, P.L.L.C.**

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